THE
Dan Smoot Report

Vol. 16, No. 20 (Broadcast 769) May 18, 1970 Dallas, Texas

DAN SMOOT

THE TIME OF TERROR IS UPON US - - Part II

This is the second issue of a six-part series. The last issue (June 15) will contain conclusions, suggestions, and documentation. Please read each issue as received, then reread all six at one time. Distribute the set of six as widely as possible — to inform others of the communist revolution raging in our country, and of what can be done about it.

The Chicago Seven trial began in Judge Hoffman's federal district court on September 24, 1969.

On the night of September 25, 1969, bombs were exploded in the Milwaukee Federal building and in a Madison national guard armory; and 17 sticks of dynamite wired to a clock device were found on the 30th floor of Chicago Civic Center, which houses most of the courts in the city. On the night of October 6, a powerful dynamite blast shattered a police statue in Haymarket Square, Chicago — and broke about 100 windows in nearby buildings. The statue had been there for years, commemorating seven Chicago policemen killed in a terrorist bombing in 1886.[5]

Police suspected that these bombings and attempted bombings were connected with threats to bomb the federal building in Chicago, in protest against the trial of the anarchists in Judge Hoffman's court.[5]

This suspicion was reinforced by the fact that Students for a Democratic Society (SDS) was openly distributing, throughout the Chicago area, "wanted posters" for Judge Hoffman. Printed in the usual obscene and scurrilous terminology of the new left, the SDS posters gave notice of a bloody uprising to begin in Chicago on October 8. Among other things, the communist anarchists said they would attack the federal court house and seize the "arch-pig," Judge Hoffman, for the purpose of delivering him up to "the revolutionary justice of the people"[6] — mob-lynching, communist style, that is.

On Wednesday night, October 8, about 600 new-leftists gathered in Lincoln Park, Chicago, scene of much of the 1968 violence. The occasion was in recognition of the death of Che Guevara, late Cuban communist guerrilla leader. The purpose was to protest the trial in Judge Hoffman's court. White SDS leaders were in charge, aided by a few black panthers. Thomas Hayden, one of the defendants on

THE DAN SMOOT REPORT is published weekly by The Dan Smoot Report, Inc., Box 9538, Dallas, Texas 75214 (office at 6441 Gaston Ave.). Subscriptions: $18.00 for 2 years; $10.00, 1 year; $6.00, 6 months. Dan Smoot was born in Missouri, reared in Texas. With BA and MA degrees from SMU (1938 and 1940), he joined the Harvard faculty (1941) as a Teaching Fellow, doing graduate work in American civilization. From 1942 to 1951, he was an FBI agent; from 1951 to 1955, a commentator on national radio and television. In 1955, he started his present independent, free-enterprise business: publishing this REPORT and abbreviating it each week for radio and TV broadcasts available for commercial sponsorship by business firms.

Copyright by Dan Smoot, 1970. Second Class mail privilege authorized at Dallas, Texas.

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

trial for inciting the 1968 riots, was present. More than half of the crowd consisted of hard-core anarchists from other cities.[7]

One SDS speaker urged the mob to tear down the Drake Hotel, which is adjacent to an apartment complex where Judge Hoffman lives. Another leader shouted, "Let's go get Hoffman." About 400 of them sprinted out of the park and headed toward the hotel. They were well prepared, many wearing helmets and carrying communist flags; and they were heavily armed (with iron pipes, clubs, chains, rocks, hunting knives, razor blades imbedded in potatoes). On the way toward the Drake Hotel, they smashed windows and broke car windshields, threw rocks at police and passersby, pulled motorists out of cars and beat them, dragged people out of restaurants and beat them in the streets.[7]

Police made several arrests, and dispersed the mob with tear gas before it reached Judge Hoffman's residence. But roving bands of communist guerrillas continued hit-and-run attacks against people and property throughout the night.[7]

Mayor Daley asked for the National Guard to help the Chicago police.[8]

The next morning — Thursday, October 9 — about 100 women members of the SDS gathered in Grant Park. Bernadine Dohrn (age 27), leader of the group, exhorted them to violence. Helmeted and armed with clubs, the women headed for an attack on an armed forces induction center. Police arrested Miss Dohrn and 11 others, charging them with aggravated battery, refusing to obey a policeman, and disorderly conduct. The remaining female guerrillas threw down their clubs and dispersed. None of the women was hurt, but five policemen and a city official suffered various injuries — from being clubbed, kicked, bitten, scratched by the women.[8]

Thursday afternoon, a protest-the-trial rally was held in the plaza of the federal building where the trial was being held. Defendants Abbot Hoffman and Lee Weiner attended. About 600 people were present. The speakers and leaders were the same guerrillas who were in charge of the Wednesday night rally at Lincoln Park. When the crowd left the plaza, 14 persons were arrested and charged with mob action.[8]

Garrett Theological Seminary in Evanston (a Methodist institution) and four Methodist churches in Evanston provided housing, food and headquarters for the guerrillas. On Thursday night — October 9 — some 250 of them had a closed meeting in their sanctuary at Garrett. One of the speakers suggested that they dynamite buildings and installations in various parts of Chicago, by way of protesting the riot trial. Other speakers said they considered their Wednesday night demonstration successful, because 18 policemen had been injured and property damage was very high.[8]

Violence continued throughout Friday and Friday night.

Early Saturday morning — October 11 — seventy Chicago police officers broke into the Covenant Methodist Church in Evanston, and arrested 41 revolutionaries who had taken part in the violence of the preceding days. There was lay criticism of the Methodist churches and of Garrett Theological Seminary for giving sanctuary, housing, and support to the violent guerrillas; but church officials defended their actions. The Reverend Dow Kirkpatrick, representing a committee of the United Methodist Parish of Evanston, said the churches' involvement with the revolutionaries was "the greatest moment for Evanston Methodist churches in recent history."[9]

About mid-morning on Saturday, SDS revolutionaries led some 300 "protestors" on a march through the Loop in downtown Chicago. Ostensibly, they were headed for a rally in Grant Park. But, on signal, at the corner of LaSalle and Madison streets, they suddenly broke ranks and bowled over the thin line of policemen flanking the route of march. Armed with lead pipes, chains, knives, and other weapons which they had concealed under their clothing, the guerrillas ran in all

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

directions, knocking down pedestrians, breaking windows, assaulting police and passersby.[9]

Before it was over, 27 policemen and two city lawyers were injured. One of the lawyers, Richard J. Elrod, was hit on the head with an iron pipe. The blow broke his neck, paralyzing him from the neck down. After he fell, his assailant kicked him several times. The attacker was Brian D. Flanagan (age 22), a student of Columbia University in New York City. He was arrested and charged.[9]

The bloody battle on Saturday, October 11, ended the SDS protest against the trial in Judge Hoffman's court. In all, some 50 policemen and an unknown number of guerrillas and innocent bystanders had been injured. More than 250 guerrillas had been arrested. Twelve SDS leaders were eventually indicted by a federal grand jury for crossing state lines to incite the October, 1969, Chicago riots. Ironically, their case is assigned to Judge Hoffman.[10]

Throughout the four days and nights of rioting, lawyers were standing by to help every activist arrested; and bail money was abundant.[9]

At first, the Chicago trial was called the Chicago Eight trial, because there were eight defendants, one of them being Bobby Seale, chairman of the Black Panther Party, who is also under state indictment in Connecticut for the murder of a fellow black panther. From the beginning of the Chicago trial, Seale was so unruly, profane, obscene, and abusive (toward the judge, witnesses, prosecuting attorneys) that normal procedures were impossible. Judge Hoffman tolerated him for six weeks. In the first week of November, the judge ordered the U. S. marshal to take Seale out and "deal with him as he should be dealt with under the circumstances."[11] Twenty minutes later, the marshal brought Seale back into court, gagged and chained to his chair with handcuffs and leg-shackles.

Seale managed to disrupt procedures by roaring muffled imprecations through his gag, and by rattling his chains. Several times, the marshal carried Seale out of the courtroom to readjust his gag and shackles, trying to silence him. The rattling of the chains was so disturbing that leather straps were substituted for the handcuffs and leg-shackles. Seale worked one hand free, ripped off his gag, and screamed at the judge: "You fascist dog! You fascist pig!"[11]

Finally, Judge Hoffman declared a mistrial for Bobby Seale, and sentenced him to four years in federal prison for 16 contempt-of-court actions.[12] Seale will be tried later, alone. Attorney Kunstler says Judge Hoffman "violated every human right Bobby Seale had."[13]

The behavior of the other seven defendants, and of their two lawyers, was only slightly more civilized than that of Seale. They became heroes of the new left, and are called the Chicago Seven.

The Chicago Seven trial ended and the case went to the jury at noon Saturday, February 14, 1970 — five months after it began.

As soon as the jury left, Judge Hoffman began handing down contempt-of-court sentences against all seven defendants and their two chief lawyers — allowing each defendant to speak before being sentenced. After each defendant finished speaking, he was sentenced and removed from the courtroom.

Defendant Dellinger was first. In his speech, Dellinger said to Judge Hoffman:

"You have tried to keep the truth out of this trial. . . . You want us to be like good Jews going to the gas chamber."[14]

One of Dellinger's daughters applauded. U. S. marshals went to remove her from the first-row bench of spectators. Scuffling began among defendants, spectators, and marshals. Dellinger screamed, "Leave my daughters alone. Don't hit my daughters."[14] Marshals restrained him. Kunstler threw himself against the railing at the judge's bench, sobbing:

"My life has come to nothing at your hands, judge. Do mine next. Put me in jail."[14]

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Defendant Rubin raised his hand and shouted "heil Hitler" at Judge Hoffman. The other defendants joined him.[14]

When defendant Davis spoke, he criticized Judge Hoffman's treatment of Bobby Seale. Judge Hoffman asked whether Davis remembered what Seale had called the judge. Davis replied, "a racist, fascist pig . . . many times, but not enough." The judge ordered Davis to end his speech, and marshals pushed him into his chair.[14]

The new-left barbarians created such turmoil that Judge Hoffman did not finish meting out the contempt-of-court sentences on February 14. He completed the job next day, Sunday.

On that day, the eruptions and contemptuous acts of defendants and their lawyers were relatively minor. Defendant John Froines strolled into court, flippantly put a bottle of whiskey on the defense table, and called for a celebration. He was ordered to remove the bottle from the table. Attorney Leonard Weinglass sat with his back to the judge as his own contempt-of-court sentence was being pronounced — and then remarked that he had felt from the first that the proceedings would be a political trial rather than a criminal trial. When the judge started reading Kunstler's contempt-of-court sentence, Kunstler stood crying, staring hard at the judge, saying, "I am not ashamed of my tears. I am ready to be sentenced."[12] At one point in the proceedings, Marie Leaner, Negro member of the defense staff, jumped up and shouted to Judge Hoffman: "You are a racist, a fascist, and a pig." Federal marshals took Marie Leaner from the courtroom and released her outside. She was not held in contempt.[15]

All seven of the Chicago defendants and their two chief attorneys were given contempt-of-court sentences. Attorney Weinglass was sentenced to one year, eight months, and three days. Attorney Kunstler received the heaviest sentence of all: four years and 13 days in federal prison for 24 acts of contempt of court.[12]

Among Kunstler's antics which Judge Hoffman ruled to be in contempt was his attempt to participate with his clients in a courtroom demonstration observing the communist-directed Vietnam Moratorium Day on October 15, 1969. Flying the communist flag of the Vietcong was part of this attempted courtroom demonstration.[11] Kunstler was also cited for using abusive language to the judge, telling the jury that the judge has the mentality of a child, encouraging his clients in disorderly and abusive behavior, saying he approved their loud moaning and groaning at the defense table, and so on.[12]

All seven defendants were sent to jail, without bond, to begin serving their contempt-of-court sentences — before the jury brought in a verdict as to whether they were found guilty on the charges for which they were tried. Judge Hoffman also denied bail for Kunstler and Weinglass on their contempt-of-court sentences, but stayed execution of the sentences until May 4, giving them time to prepare appeals for their clients.

NOTICE: The Dan Smoot Report office is closed for vacation this week (May 18-22). Accumulated orders will be handled promptly next Monday.

Subscribe Today to The Dan Smoot Report

6 mos. $6.00 **– 1 YR. $10.00 –** 2 yrs. $18.00

THE DAN SMOOT REPORT
BOX 9538, DALLAS, TEXAS 75214
Telephone: TAylor 1-2303

Send reprints to your friends and suggest they order reprints too.
REPRINTS OF THIS ISSUE (for bulk mailing to one address):

1 copy	$ .25	100 copies	$ 6.50
10 copies	1.00	200 copies	12.00
25 copies	2.00	500 copies	28.00
50 copies	3.50	1000 copies	50.00

Texans Add 4¼% for Sales Tax
(Add 50c for special-handling postage)

PRODUCED BY UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED